

United States District Court

for the

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Kalen Manden Hendricks

Case Number: 0980 2:11CR06040-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: May 8, 2012

Original Offense: Failure to Register as a Sex Offender, 18 U.S.C. § 2250(a)

Original Sentence: Prison 24 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alexander Carl Ekstrom Date Supervision Commenced: April 8, 2013

Defense Attorney: Diane E. Hehir Date Supervision Expires: April 7, 2016

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Failing to report to the probation office as directed on December 3, 2013.

On December 3, 2013, contact was made with the defendant by phone and he was directed to report to the probation office in Richland. The defendant was advised he had until 4:30 p.m. to report. The defendant confirmed he would be there. The defendant subsequently failed to report.

2 **Special Condition # 18:** You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising officer and the treatment provider. You shall pay for treatment and testing according to your ability.

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Supporting Evidence: Kalen Hendricks is considered in violation of his period of supervised release by failing to comply with sex offender treatment.

On December 3, 2013, the defendant failed to report for his weekly group session at Riverview Counseling. The defendant did not receive prior approval from the treatment provider of this officer to miss the session.

On December 4, 2013, the defendant was contacted by the treatment provider and asked if he was going to report for his 8:00 a.m. individual session; at which time he stated he was not going to be able to make it. The defendant was advised that he would be removed from any additional treatment sessions if he did not report. The defendant was late to the session, admitted to using controlled substances, and only participated in a short session due to the lateness of his arrival. As the defendant is continuing to use controlled substances, he is being removed from sex offender treatment. Therefore, he poses an increased risk to the community.

3 **Special Condition # 23:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Kalen Hendricks is considered in violation of his period of supervised release by failing to report for chemical dependency treatment on November 29, 2013, and December 2, 2013.

The defendant missed consecutive chemical dependency treatment sessions as noted above. When he reported for a session on December 3, 2013, he was asked about the missed sessions. The defendant stated he had missed December 2, 2013, because he was "tired." The defendant had not received approval from the treatment provider or this officer to miss either session.

4 **Special Condition # 24:** Defendant shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Kalen Hendricks is considered in violation of his period of supervised release by failing to report for random drug testing on December 2, 2013, at the probation office in Richland.

5 **Special Condition # 24:** Defendant shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Kalen Hendricks is considered in violation of his period of supervised release by using a controlled substance, methamphetamine, on or prior to December 3, 2013.

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On December 3, 2013, the defendant was in communication with this officer, via text messaging, and admitted he had been using methamphetamine. The defendant also admitted to his sex offender treatment provider, on December 4, 2013, that he had used methamphetamine.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/04/2013

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer

12/4/13

Date